



## Police Department

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August 22, 2019

Madeleine Gregory  
MuckRock.com

RE: Public Records Act Request

Dear Ms. Gregory,

I am responding to your Public Records Act request received by the San Luis Obispo Police Department on August 19, 2019 in which you request information pertaining to detention facilities.

The San Luis Obispo Police Department does not have a detention facility. Arrestees in San Luis Obispo County are booked into the San Luis Obispo County Jail which is part of the San Luis Obispo County Sheriff's Department. We do have two temporary holding cells. I have attached our policy regarding our holding cells.

Please let me know if you have any questions.  
Sincerely,

A handwritten signature in blue ink that reads "Trapp".

Tera Rapp  
Records Supervisor  
San Luis Obispo Police Department  
[trapp@slocity.org](mailto:trapp@slocity.org)



## Temporary Holding Cells

### 901.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and procedures for the temporary holding of arrestees at the Name of your jurisdiction: Police Department.

The Department shall maintain the custody of arrestees in accordance with this policy.

#### 901.1.1 SUPERVISION OF ARRESTEES

No arrestee will be held in the temporary holding cell unless there is a designated employee who remains within the police building who can supervise the temporary holding cell and respond to emergencies. The watch commander or field supervisor should be notified when an arrestee is placed in a temporary holding cell.

#### 901.1.2 DETENTION OF ARRESTEES IN THE TEMPORARY HOLDING CELLS

It is the policy of the Name of your jurisdiction: Police Department that prisoners detained in the temporary holding cells shall be released or transported to another facility as soon as possible and practical.

#### 901.1.3 NON-DETAINABLE ARRESTEES

Arrestees who fall within the following classifications should not be detained in the temporary holding cells. They should be transported to the county jail, the designated medical facility or the county mental health facility, as appropriate:

- (a) Any person who is sick, injured or who has any other medical condition, including pregnant females, who may require medical attention, supervision or medication during confinement.
- (b) Any person who has claimed, or is known to be afflicted with or displays symptoms of any communicable disease.
- (c) Any person suffering from a severe mental disorder.
- (d) Any combative or unruly person who is likely to cause damage to the temporary holding cell facility.
- (e) An arrestee who is or may be contemplating suicide.
- (f) Any person suspected of being under the influence of a hallucinogen, hyperglycemic agent, psychotropic medication, narcotic, sedative, tranquilizer, anti-neoplastic (cancer) drug, research medication or any person suffering from withdrawals of the above.
- (g) Any person suspected or confirmed to be developmentally disabled (15 CCR § 1057).
- (h) Any person or persons for whom appropriate classification (by gender, age) cannot be maintained.
- (i) Any person who is so intoxicated as to be a danger to him/herself or others and cannot be safely accommodated within the temporary holding cell.

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### 901.1.4 DETAINABLE ARRESTEES

Arrestees who fall within the following classifications may be detained in the Name of your jurisdiction: Police Department temporary holding cell with the approval of the Watch Commander. This includes those arrested and detained pending:

- (a) Posting of bail
- (b) Release on Own Recognizance (O.R.)
- (c) Release on citation in accordance with the Cite and Release Policy in this manual
- (d) Transportation to the County Jail
- (e) Release per Penal Code § 849(b)
- (f) In-custody interview or other investigation

### 901.1.7 TRANSPORTATION OF ARRESTEES

Generally and when circumstances permit, arrestees of the opposite sex, or adult and juvenile arrestees, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating arrestees is not practicable, officers should be alert to inappropriate physical or verbal contact between them and take appropriate action as necessary.

Whenever an arrestee is to be transported from the temporary holding cell to another facility by a member of this department the transporting officer shall be responsible for the following:

- (a) Verify that the identity of each arrestee to be transported matches the booking paperwork.
- (b) Ensure that all pertinent documentation accompanies the arrestee, such as copies of booking forms, medical records when appropriate, an itemized list of the prisoner's property, warrant copies, etc.
- (c) Ensure that any known threat or danger the arrestee may pose, such as escape risk, suicide potential, or medical condition, is recorded on the arrestee's booking documentation and is transported with the arrestee to the next facility. The transporting officer shall ensure such threat or danger is communicated to intake personnel at the facility.

## **901.3 ARRESTEE SUPERVISION AND CLASSIFICATION**

### 901.3.1 SUPERVISION OF ARRESTEES

All arrestees should be visually checked no less than once every hour. Intoxicated persons should be checked at least once every half-hour. This check will be conducted through direct visual observation without the aid of surveillance cameras.

### 901.3.4 TEMPORARY DETENTION OF JUVENILES

Juveniles who are detained by this department will be processed and handled in accordance with the Temporary Custody of Juveniles policy.

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### **901.3.6 HANDCUFFING OF PREGNANT ARRESTEES**

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety and in no event shall persons known to be pregnant or in recovery following delivery be restrained by the use of leg irons, waist chains or handcuffs behind the body.

No arrestee who is in labor, delivery or recovery after delivery shall be otherwise handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, officers or others (Penal Code § 6030).

### **901.4 TEMPORARY HOLDING CELL SEARCHES**

Immediately upon securing weapons, officers bringing arrestees into the temporary holding cells shall thoroughly search their arrestees. All arrestees brought into the temporary holding cell must be searched by an officer or other authorized employee of the same gender whenever possible before the officer relinquishes control. When an arrestee has been handcuffed, the arrestee should remain handcuffed until the search is substantially completed.

In the case of female arrestees, all searches will be conducted by a female officer or designated female employee whenever possible, and male employees shall remain outside the closed door, but available to assist immediately if needed. Should a female arrestee become combative, an officer may be assigned to restrain her until the appropriate search is completed.

Arrestee search procedures and policies are found in Policy Manual § 902.

### **901.8 HANDLING OF ARRESTEE'S PROPERTY**

Officers shall take care in the handling of an arrestee's property to avoid discrepancies or losses.

Any personal property belonging to the arrestee but retained by the officer for safekeeping, shall be kept in a secure location until the arrestee is released or transferred. Smaller items such as a driver's license, pocketknife, wallet, prescription medications and other similar property, shall be placed in a property bag.

Arrestee property that is too large or will not otherwise be accepted by a receiving facility should be booked for safekeeping.

Property belonging to the arrestee, but retained by the officer as evidence, shall be booked according to procedures. The arrestee shall be advised that such property will be kept as evidence and where demanded, the officer will issue the arrestee a receipt. Such receipt may be a copy of the property booking form, written out in the officer's handwriting or typed for his/her personal signature. It should include the description of the property (but not its value), the case number, date, time, officer's badge number and signature. Where a receipt is issued, it should be mentioned in the arrest report.

### **901.9 TEMPORARY HOLDING CELL PROCEDURES**

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### 901.9.1 SECURITY

- (a) Firearms, deadly weapons or any type of explosive device shall not be permitted within the secure area of the temporary holding cells. Weapons should be properly secured in the gun lockers outside of the secure area of the temporary holding cells. An exception may occur only during emergencies upon approval of the Watch Commander.
- (b) All perimeter doors to the temporary holding cell shall be kept locked at all times except during routine cleaning when no arrestees are present, or in the event of an emergency, such as an evacuation.
- (c) Cell doors are to be locked at all times when arrestees are detained in the temporary holding cells. The key is to be fully rotated in the lock to engage the double lock mechanism.
- (d) No personnel shall smoke at any time while in the detention area. No arrestee shall be allowed to smoke or possess smoking materials in the detention area.
- (e) Restraint devices such as handcuffs, disposable cuffs, belly-chains and leg restraints shall be used in accordance with department policy and only with the approval of the Watch Commander.

### 901.9.2 RECEIPT OF ARRESTEES

The arresting and or booking officer should:

- (a) Make a thorough search of all arrestees placed into a temporary holding cell. Female arrestees should be searched by female officers or other female staff whenever possible.
- (b) Secure property for safekeeping, as necessary.
- (c) Remove all hazardous items from the arrestee's person.
- (d) Remove belts, shoes and jackets.

### 901.9.3 ARRESTEE BEDDING

- (a) Each holding cell shall have one mattress and one blanket.
- (b) Blankets that have been used by a prisoner should be placed in a hazmat bag for cleaning after use.

### 901.9.6 RELEASE OF ARRESTEES

- (a) The temporary holding cell should be inspected for damage prior to the release or transportation of any prisoner.
- (b) Any damages should be noted and, if necessary, an additional crime report completed. If additional charges are warranted they will be made. Photographic evidence should be obtained and documented to support additional charges.
- (c) Arrestees shall be released in accordance with state law. The releasing officer will be responsible for the following:

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1. All proper forms shall be completed prior to release.
2. All property, not to include evidence, contraband, or dangerous weapons shall be returned to the prisoner.
3. The appropriate Juvenile Detention Log will be completed showing the date, time, and reason for release, as well as the releasing officer's name.
4. Notifying the Communications Center of the prisoner's release.
5. The arrestee being released will be escorted from the temporary holding cell and police facility by a department employee. At no time will a released arrestee be allowed in any secure area of the station without personal supervision by an employee.

### 901.9.7 FACILITY SANITATION AND MAINTENANCE

The Watch Commander should inspect the temporary holding cell area regularly to ensure that the detention area is clean and maintained to an acceptable level of cleanliness. The Temporary holding cell area shall be cleaned, as necessary, in order to provide a proper custodial and working environment. Any maintenance problems will be reported to the city building maintenance department.

### 901.9.8 DEATH OF ARRESTEE

In the event of a fatal injury or death of an arrestee while in custody of the temporary holding cell, in addition to a standard criminal investigation, the Chief of Police or the authorized designee shall report in writing to the Attorney General within 10 days after the death, all facts in the possession of the department concerning the death. In all such cases, the Watch Commander shall be notified and will make the appropriate additional notifications.

A medical and operational review of every in-custody death shall be conducted. The review team shall include the following:

- Chief of Police or the authorized designee
- The health administrator
- The responsible physician and other health care and supervision staff who are relevant to the incident (15 CCR § 1046)

### 901.9.10 ARRESTEE DISCIPLINE

Arrestee discipline will not be administered in this facility. Any arrestee who repeatedly fails to follow directions or facility rules should be transported to the appropriate jail, mental health facility or hospital as soon as practicable. Such conduct should be documented and reported to the receiving facility (15 CCR § 1081).